

Applicant's Summary of the June 23, 2010, Phone Interview with Examiner

The applicant submitted a proposed amendment to claim 4, for informal review and discussion with the Examiner. The Examiner made some suggestions to correct drafting errors and asked the applicant to point out supporting references in his specification for one of the limitations. The applicant has removed or supported the remaining references. The Examiner also pointed-out at an indefinite statement regarding the integration of components. The applicant has withdrawn the statement.

REMARKS

Claims 4, 11, 19, 21, 22 and 26-38 were rejected under 35 USC 112 second paragraph. Claims 4 and 11 were rejected under 35 USC 102(e) as being anticipated by US patent 6,744,370 to Sleichter. Claims 4, 11, 19, 21, 22, 26, 29, 31, and 36-38 were rejected under 35 USC 102(b) as being anticipated by US patent 5,746,602 to Kikinis. Claims 27, 28, 30, and 32-35 were rejected under 35 USC 103(a) as being unpatentable over Kikinis with no second citation or official notice given. Double patenting issues with regards to copending application 12/172,993 were also noted.

Reexamination and reconsideration of the claims in view of the amended claims and traversal arguments is respectfully requested.

Double Patenting

With regard to the provisional double patenting warning, applicant agrees to file a terminal disclaimer once there is an allowance or as requested by the examiner.

Claim Rejections – 35 USC 112

The 35 USC 112 second paragraph rejections of claims 4, 11, 19, 21, and 26-38 have been overcome by amending independent claim 4, as well as dependent claim 11, 19, 21, and 26-38.

As regards to independent claim 4 and its dependent claims, Support for the "local" and "remote" language can be found in specification paragraph [0024], [0057], and elsewhere

Supports for the mobile limitations are found in specification paragraph [0025], [0049], [0055] and elsewhere.

Support for the motion input can be found in specification paragraphs [0020], [0029], [0066] and elsewhere.

Support for the tactile input can be found in specification paragraphs [0077], [0078], original claim 7, and elsewhere.

Support for the visual output can be found in specification paragraphs [0044], [0056], [0069], and [0072], and elsewhere.

Support for the processor and operative connection limitations can be found in the specification abstract, paragraphs [0054], original claim 12, and elsewhere. See also Figure 2 (21), (22) (2), and (3), showing the operative connections between the processor, transducer, and tactile stimuli output component.

Support for the "at any time during the communications link" can be found in specification paragraph [0037], [0059], original claim 17, and elsewhere.

Support for the in response to said remote user's tactile input can be found in the specification abstract, Figure 1, Figure 3, Figure 10, original claim 1, original claim 18, and elsewhere.

Support for voice input control can be found in specification paragraph [0020], [0058], [0069].

Support for the new multiple display devices can be found in specification paragraph [0062].

Support for the multiple sensors can be found in specification paragraph [0085] "sensors".

Support for the "memory storage medium" limitation can be found in original claim 11, as well as specification paragraph [0054] which mention various memory storage medium including ROM and RAM.

Support for the remote communication terminal apparatus operated by the remote user can be seen in Figures 3 and elsewhere.

Claim Rejections - 35 USC 102(e)

The rejection of claims 4 and 11 under 35 USC 102(e) in view of Sleicher is respectfully overcome. Sleicher teaches a vibrating seat pad for a vehicle. To overcome, independent claim 4 has been amended to more specifically teach that the apparatus is a self-contained communication apparatus, and teach other limitations not found in Sleicher as well. Claim 11, which is a dependent claim to claim 4, thus inherits these limitations.

The rejection of claims 4, 11, 19, 22, 22, 26, 31 and 36-38 in view of Kikinis have also been respectfully overcome by the same amendments. Kikinis teaches a PC peripheral interactive doll dependent on the host computer, rather than a self-contained apparatus.

Claim Rejections 35 USC 103(a)

The rejections of 27, 28, 30 and 32-35 under 35 USC 103(a) as being unpatentable over Kikinis (no second citation or official notice provided) is respectfully traversed in part and overcome in part. To overcome, applicant submits that these claims are dependent claims to claim 4, and thus inherit the new claim 4 limitations that further distinguish the

present art from the art of Kikinis. To traverse applicant respectfully submits that it is improper to make a 35 USC 103(a) rejection without providing at least a second citation or official notice. Applicant further traverses on the basis that here, examiner has simply made conclusory statements that these claims are obvious without providing clear arguments and reasoning, as is required, even under KSR v. Teleflex.

New Claims

New claims 39-60 are new claims based either upon amended claim 4 or upon other embodiments, and are supported above in the support for claim 4, and its dependent claims, and in other parts of the specification and figures.

Support for movement of the apparatus in new claim 39 can be found in specification at [0020], [0029] and [0066].

Support for voice input in new claims 40 and 41 can be found in specification because of the plural input(s) language throughout.

Support for voice input in new claim 42 can be found in specification at [0020].

Support for voice input in new claim 43 can be found in specification at [0027].

Support for voice input in new claim 44 can be found in specification because of the plural input(s) language throughout.

Support for voice input in new claim 45 can be found in specification regarding the physical display output enhances other outputs such as visual and/or audio outputs.

Support for new claim 46, regarding transceiver is supported at [0034].

Support for new claim 47, can be found in original claim 21.

Support for new claim 48 and 49, can be found the specification at [0044], [0056], [0069] and [0072], and in the description of Fig. 10.

Support for new voice control in claim 50, can be found in the specification at [0020]

Support for a hybrid audio-tactile device in claims 51 and 52 can be found in specification in the original claims 21, 22 and 25.

Support for electrical output in new claim 53 can be found in the specification at [0020].

Support for vital sign input in new claim 54 can be found in the original claim 25.

Support for voice input in new claim 55 can be found in the specification at [0020], and original claim 25.

Support for a remote controller in new claim 56 can be found in the specification at [0020], [0029], [0066] and original claims 23-25.

Support for vital sign input in new claim 57 and 58, can be found in the original claim 25.

Support for brain wave input in new claim 59, can be found in the specification at [0020].


New claim 60 is an alternative methods claim based on apparatus claim 4 and its dependent claims. Support for the "during the communications session" limitation of claim 41 can be found in specification paragraph [0037], [0059], original claim 17, and elsewhere.

In view of the amendments and accompanying remarks, applicant believes that the application is now in condition for allowance. Notice to that effect is respectfully requested.

If the examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at (619) 301-3555.

Respectfully Submitted,

Craig L. Linden

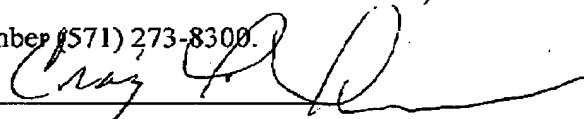


CERTIFICATE OF TRANSMISSION BY FACSIMILE

Sir:

The undersigned hereby certifies that the Applicant filed this 20-page Reply and Amendment (including a cover page, fee payment form and fee determination form) Via Facsimile on July 7, 2010, to the USPTO fax number (571) 273-8300.

Dated: July 7, 2010



Craig L. Linden